

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO.: 5:03CR4**

UNITED STATES OF AMERICA)
)
)
vs.)
)
RODERICK LAMAR WILLIAMS (8),)
)
)
Defendant.)
)
)

THIS MATTER is before the Court on Defendant's six (6) *pro se* "Fifth Amendment Right to Due Process of Law Violation to Set Aside Conviction" Motions, all filed December 19, 2005 [Documents ## 633-638].

Defendant's Motions do not provide any new allegations than those made in Defendant's previous *pro se* Motions, which the Court denied in Orders filed October 18, 2005, November 22, 2005, and December 13, 2005. Moreover, since Defendant has been sentenced in this matter, this Court does not have jurisdiction to review Defendant's Motions and the allegations made in the instant Motions must be raised before the United States Court of Appeals for the Fourth Circuit. *See e.g., Department of Transportation v. Elm Land Co.*, 163 N.C. App. 257, 267, 593 S.E.2d 131, 138 (2004) (noting that the Court of Appeals must make the determination of whether the district court abused its discretion in determining whether the proffered evidence was relevant to the issues being tried).

IT IS, THEREFORE, ORDERED that Defendant's six (6) *pro se* "Fifth Amendment Right to Due Process of Law Violation to Set Aside Conviction" Motions are hereby **DENIED**.

The Clerk is directed to send a copy of this Order to Defendant, defense counsel, and the United States Attorney.

Signed: February 2, 2006



Richard L. Voorhees
Chief United States District Judge

